



General Assembly

February Session, 2004

Raised Bill No. 5546

LCO No. 1882

01882_____INS

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

AN ACT CONCERNING VICARIOUS LIABILITY FOR CAR RENTAL COMPANIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-154a of the general statutes, as amended by
2 section 1 of public act 03-250, is repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2004, and applicable to*
4 *causes of action accruing on or after said date*):

5 (a) Any person [renting or] leasing to another any motor vehicle
6 owned by [him] the person shall be liable for any damage to any
7 person or property caused by the operation of such motor vehicle
8 while so [rented or] leased [,] to the same extent as the operator would
9 have been liable if [he] the operator had also been the owner.

10 (b) The provisions of subsection (a) of this section shall not apply to:

11 (1) Any person, with respect to the person's lease to another of a
12 private passenger motor vehicle, if the total lease term is for one year
13 or more and if, at the time damages are incurred, the leased vehicle is
14 insured for bodily injury liability in amounts of not less than one

15 hundred thousand dollars per person and three hundred thousand
 16 dollars per occurrence and the vehicle is not subject to subdivision (2)
 17 of this subsection. As used in this section, "private passenger motor
 18 vehicle" means a: (A) Private passenger type automobile; (B) station-
 19 wagon-type automobile; (C) camper-type motor vehicle; (D) truck-type
 20 motor vehicle with a gross vehicle weight rating of less than ten
 21 thousand pounds, registered as a passenger motor vehicle, as defined
 22 in section 14-1, as amended, or as a passenger and commercial motor
 23 vehicle, as defined in said section, or used for farming purposes; or (E)
 24 a vehicle with a commercial registration, as defined in subdivision (12)
 25 of said section. Private passenger motor vehicle does not include a
 26 motorcycle or motor vehicle used as a public or livery conveyance.

27 (2) Any person, with respect to the person's lease to another of a
 28 truck, tractor trailer or tractor-trailer unit with a gross vehicle weight
 29 rating of ten thousand pounds or more if the total lease term is for one
 30 year or more, or the applicable contract term is one year or more, and
 31 if, at the time damages are incurred, the loss or claim is insured by any
 32 combination of coverage through an insurer, as defined in section 38a-
 33 363, in an amount of not less than two million dollars.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004, and applicable to causes of action accruing on or after said date</i>

Statement of Purpose:

To eliminate statutory vicarious liability for car rental companies.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]